



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

2001 NOV 17 P 1-20

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/889,380	FROMMER, LAWRENCE & HAUG, LLP Masashi Nakamura	450106-02849
		INTERNATIONAL APPLICATION NO.
		PCT/JP00/08112
		I.A. FILING DATE
		PRIORITY DATE
		11/17/2000
		11/17/1999

William S Frommer
 Frommer Lawrence & Haug
 745 Fifth Avenue
 New York, NY 10151

DOCKETED

CONFIRMATION NO. 3746
 371 FORMALITIES LETTER



OC000000007066788

Date Mailed: 11/14/2001

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Request for Immediate Examination
- Substitute Specification

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below.
 - The number of claims in the International Application and the number of claims in the translation are not the same.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 months from the priority date (37 CFR 1.492(f)).

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/889,380	PCT/JP00/08112	450106-02849

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Nakamura, et al.
U.S. Appln. Ser. No. : 09/889,380
Int'l Appln. No. : PCT/JP00/08112
Int'l Filing Date : November 17, 2000
Title of Invention : DIGITAL SIGNAL PROCESSING APPARATUS
AND METHOD

745 Fifth Avenue
New York, NY 10151

EXPRESS MAIL

Mailing Label Number: EV001583798US
Date of Deposit: October 22, 2001

I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" Service under 37 CFR 1.10 on the date indicated
above and is addressed to the Assistant Commissioner for Patents
Washington, DC 20231.

Blanche Dupoux
(Typed or printed name of person mailing paper or fee)
Blanche Dupoux
(Signature of person mailing paper or fee)

PETITION TO WITHDRAW NOTIFICATION OF MISSING REQUIREMENTS

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Paulette Kidwell, Paralegal

Madam:

This is a Petition to withdraw the Notification of Missing Requirements mailed
August 28, 2001 in the above-identified application. A copy of that Notification is enclosed.

For a complete understanding of what appears to be the circumstances
surrounding this application, Applicants note that a similar Notification of Missing Requirements

issued on August 27, 2001 in related, companion U.S. application 09/889,459 (the '459 application).

On July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 USC 371, including a direct English translation of the specification and claims of international application PCT/JP00/08112, to which U.S. application Serial No. 09/889,380 was assigned. A copy of those application papers as filed, including the date-stamped receipt postcard acknowledging receipt thereof, is enclosed. The U.S. application papers contained 24 claims. This is identical to the number of claims contained in the international application.

On the same day, July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 U.S.C. 371, including a direct English translation of the specification and claims of international application PCT/JP00/08113, to which U.S. application Serial No. 09/889,459 was assigned. The '459 U.S. application papers contained 12 claims. This is identical to the number of claims contained in international application PCT/JP00/08113.

Applicants' attorney believes that the executed declaration attached to the U.S. application papers filed in connection with the '380 application became confused in the PTO Mail Room with the executed application papers filed in connection with the '459 application. As a result, the Notification of Missing Requirements incorrectly was mailed in connection with the '380 application (and, similarly, the Notification of Missing Requirements incorrectly was mailed in connection with the '459 application).

Since the '380 application was filed with a fully executed declaration, was filed as a direct English translation of the international application upon which it is based and contained

precisely the same number of claims as said international application, it is respectfully requested that the Notification of Missing Requirements mailed August 28, 2001 be withdrawn.

It is believed that no fees are due for this Petition. However, if a Petition Fee is needed, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:


William S. Frommer
Reg. No. 25,506
(212) 588-0800

WSF/dds
Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
U.S. Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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09/889380

NAKAMURA

M

450106-02849

INTERNATIONAL APPLICATION NO.

PCT/JP00/08112

I.A. FILING DATE PRIORITY DATE

17 NOV 00

17 NOV 99

28 AUG 2001

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

U.S. Basic National Fee. Indication of Small Entity Status.
 Copy of the international application. Translation of the international application into English.
 Oath or Declaration of inventor(s). Translation of Article 19 amendments into English.
 Copy of Article 19 amendments. Other:
 Priority Document.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee. Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917
 PTO-875

Notice of Defective Translation
 PCT/DO/EO/920

Paulette Kidwell, Paralegal

Telephone: 703-305-3656



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.

ATTACHMENT TO FORM PCT/DO/20

09/889380

NOTICE OF DEFECTIVE TRANSLATION

The received translation is defective because:

- (1) The text in the drawings has not been properly translated;
- (2) The number of claims in the International Application and the number of claims in the translation are not the same;
- (3) The translation of the International Application is incomplete as a number of pages are missing;
- (4) Other.

THE TOTAL NUMBER OF CLAIMS IN THE TRANSLATION IS 12 AND THE TOTAL NUMBER OF CLAIMS IN THE INTERNATIONAL APPLICATION IS 24

DOCKETED

Paulette Kidwell, Paralegal

Telephone: 703-305-3656

mailed Oct 22, 2001
Express Mail Label No. EV-158375345

Serial No. _____

File No. 50106-02858

By WSE/AM

Title In the Matter of the Application of

The following due 10/27/01 in the U.S. Patent Office, was received in the Patent Office

Affidavit Declaration
 Amendment Declaration Certificate
 Preliminary Amendment (separate sheet)
 Amendment After Final Rejection Check No. _____ for \$ _____
 Request for Extension of Time Deposit Account Order Form
 Provisional Patent Application Drawing Sheet(s)
 Application for Patent, including Information Disclosure Statement
 ____ Pages Specification Claims
 Declaration Oath Power
 Request for Filing Continuation or Divisional PTO Form 1449
 Application _____ sheets, in duplicate Issue Fee Transmittal
 File Wrapper Continuation Patent Application Brief Letter
 ____ sheets, in duplicate Application for TM Registration
 PCT Request _____ sheets, including Including _____ Specimens
 Transmittal Letter to the US/RO Status Request Notice of Appeal
 Assignment Recordation Cover Sheet Petition Response
 Priority Document
 Small Entity Declaration
 Petition to Withdraw Notification

copy of Notice of Missing Parts.

Missing requirements, copies
of Appln papers previously filed

Mailed Oct 22, 2001
Express Mail Label No. E 101583798US

File No. 450106-02849

By *WS/CLK*

Signal Processing Apparatus

Serial No. _____

Dis. _____

Title In the Matter of the Application of _____

The following due 10/22 in the U.S. Patent Office, was received in the Patent Office

- Affidavit Declaration
- Amendment
- Preliminary Amendment
- Amendment After Final Rejection
- Request for Extension of Time
- Provisional Patent Application
- Application for Patent, including
 ____ Pages Specification ____ Claims
- Declaration Oath Power
- Request for Filing Continuation or Divisional
 Application ____ sheets, in duplicate
- File Wrapper Continuation Patent Application
 ____ sheets, in duplicate
- PCT Request ____ sheets, including
- Transmittal Letter to the US/RO
- Assignment Recordation Cover Sheet

Express Mail Mailing Certificate
 (separate sheet)

Check No. _____ for \$ _____

Deposit Account Order Form

Drawing ____ Sheet(s)

Information Disclosure Statement

PTO Form 1449

Issue Fee Transmittal

Brief Letter

Application for TM Registration

 Including ____ Specimens

Status Request Notice of Appeal

Petition Response

Priority Document

Small Entity Declaration

Petition to Withdraw Notification
Missing requirements, copies of
Appl. papers previously filed

Copy of Notice of Missing Requirements



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EV 001583798 US

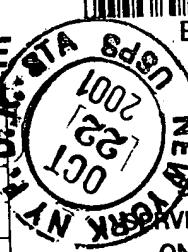
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Date In Mo. Day Year <i>10 22 01</i>		Postage \$ <i>19.15</i>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Time In Military <input type="checkbox"/> AM <input type="checkbox"/> PM <i>12 Noon</i>	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Employee Signature
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FROM: (PLEASE PRINT) <i>FROMMER LAWRENCE & HAUG, LLP</i> 745 5TH AVE FL 10 NEW YORK		TO: (PLEASE PRINT) PHONE <i>212 588 0800</i>	
450106-02849		Assistant Commissioner for Patents Washington, D.C. 20231 Attn: Paulette Kidwell, Paralegal	

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Date In Mo. Day Year <i>10 22 01</i>		Postage \$ <i>19.15</i>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Time In Military <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM <i>12 Noon</i>	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Employee Signature
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No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials <i>WSF/lods</i>	Insurance Fee	Delivery Date Mo. Day <input type="checkbox"/> AM <input type="checkbox"/> PM
Total Postage & Fees \$ <i>19.15</i>		NO DELIVERY <input type="checkbox"/> <input type="checkbox"/>	
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No.		Federal Agency Acct. No. or Postal Service Acct. No.	
FROM: (PLEASE PRINT) <i>FROMMER LAWRENCE & HAUG, LLP</i> 745 5TH AVE FL 10 NEW YORK		TO: (PLEASE PRINT) PHONE <i>212 588 0800</i>	
450106-02849		Assistant Commissioner for Patents Washington, D.C. 20231 Attn: Paulette Kidwell, Paralegal	



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Nakamura, et al.
U.S. Appln. Ser. No. : 09/889,459
Int'l Appln. No. : PCT/JP00/08113
Int'l Filing Date : November 17, 2000
Title of Invention : DIGITAL SIGNAL PROCESING APPARATUS,
SYSTEM THEREOF, AND EXTENSION
FUNCTION PROVIDING METHOD

745 Fifth Avenue
New York, NY 10151

EXPRESS MAIL

Mailing Label Number: EV001583753US
Date of Deposit: October 22, 2001

I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" Service under 37 CFR 1.10 on the date indicated
above and is addressed to the Assistant Commissioner for Patents
Washington, DC 20231.

Isabelle Drapoux
(Typed or printed name of person mailing paper or fee)
Isabelle Drapoux
(Signature of person mailing paper or fee)

PETITION TO WITHDRAW NOTIFICATION OF MISSING REQUIREMENTS

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Charita A. Burt, Paralegal

Madam:

This is a Petition to withdraw the Notification of Missing Requirements mailed
August 27, 2001 in the above-identified application. A copy of that Notification is enclosed.

For a complete understanding of what appears to be the circumstances
surrounding this application, Applicants note that a similar Notification of Missing Requirements

issued on August 28, 2001, in related, companion U.S. application 09/889,380 (the '380 application).

On July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 USC 371, including a direct English translation of the specification and claims of international application PCT/JP00/08113, to which U.S. application Serial No. 09/889,459 was assigned. A copy of those application papers as filed, including the date-stamped receipt postcard acknowledging receipt thereof, is enclosed. The U.S. application papers contained 12 claims. This is identical to the number of claims contained in the international application.

On the same day, July 16, 2001, Applicants' below-named attorney filed, by express mail, fully executed U.S. patent application papers pursuant to 35 U.S.C. 371, including a direct English translation of the specification and claims of international application PCT/JP00/08112, to which U.S. application Serial No. 09/889,380 was assigned. The '380 U.S. application papers contained 24 claims. This is identical to the number of claims contained in international application PCT/JP00/08112.

Applicants' attorney believes that the executed declaration attached to the U.S. application papers filed in connection with the '459 application became confused in the PTO Mail Room with the executed application papers filed in connection with the '380 application. As a result, the Notification of Missing Requirements incorrectly was mailed in connection with the '459 application (and, similarly, the Notification of Missing Requirements incorrectly was mailed in connection with the '380 application).

Since the '459 application was filed with a fully executed declaration, was filed as a direct English translation of the international application upon which it is based and contained

precisely the same number of claims as said international application, it is respectfully requested that the Notification of Missing Requirements mailed August 27, 2001 be withdrawn.

It is believed that no fees are due for this Petition. However, if a Petition Fee is needed, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:


William S. Frommer
Reg. No. 25,506
(212) 588-0800

WSF/dds
Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/889459	NAKAMURA	M 450106-02850
INTERNATIONAL APPLICATION NO.		
PCT/JP00/08113		

WILLIAM S FROMMER
FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE
NEW YORK, NY 10151

DOCKETED

DATE MAILED:

27 AUG 2001

I.A. FILING DATE 17 NOV 00 PRIORITY DATE 17 NOV 99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

U.S. Basic National Fee. Indication of Small Entity Status.
 Copy of the international application. Translation of the international application into English.
 Oath or Declaration of inventor(s). Translation of Article 19 amendments into English.
 Copy of Article 19 amendments. Other:
 Priority Document.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee. Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.

ATTACHMENT TO FORM PCT/DO/EO/

09/889459

NOTICE OF DEFECTIVE TRANSLATION

The received translation is defective because:

- (1) The text in the drawings has not been properly translated;
- (2) The number of claims in the International Application and the number of claims in the translation are not the same;
- (3) The translation of the International Application is incomplete as a number of pages are missing;
- (4) Other.

DOCKETED

Charitta A. Burn, Paralegal

Telephone: 702-385-2324